

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:21CR253

ORDER

THIS MATTER is before the Court on the United States' Motion for Final Determination of Restitution (Doc. 111). As set forth below, the motion is **GRANTED**, and restitution is ordered to the victims of Defendant's offense.

On November 17, 2022, Defendant was found guilty of one count of securities fraud, in violation of 15 U.S.C. §§ 78j and 78ff(a), and one count of wire fraud, in violation of 18 U.S.C. § 1343. On August 20, 2024, the Court sentenced Defendant to 27 months' imprisonment. (Doc. 106). At that time, the Court held open the final determination of restitution until September 19, 2024, as authorized by 18 U.S.C. § 3664(d)(5). (Id.). On September 18, 2024, the Government filed the pending motion for restitution, to which Defendant has not objected.

The Court finds that the amounts set forth in Exhibit A of the Government's motion for final determination of restitution are supported by a preponderance of the evidence and constitute a "final determination" for purposes of ordering restitution pursuant to the Mandatory Victim Restitution Act, 18 U.S.C. § 3663A.

IT IS THEREFORE ORDERED that, based on the reasons set forth in the motion, 18 U.S.C. § 3664(d)(5), and the Mandatory Victim Restitution Act, the Judgment in this case (Doc. No. 106) shall be amended to include a final restitution figure of \$539,292 payable in the following amounts:

Angela Damper	\$2,628
Ashleigh Dawson	\$1,131.50
Barbara Simmons	\$5,329
Ben Hacker	\$3,747.39
Bernadita Alapide	\$949
Brandy Mosley	\$803
Candice Bailey	\$2,920
Charles Clark	\$2,168
Cheryl Long	\$1,679
Claude and Emma Smith	\$1,022
Donald Smith	\$511
Ezell Adams	\$6,867.20
Gwendolyn Kelly	\$1,825
Harbor Baptist Church	\$185,816.53
James and Carol Johnson	\$876
James Davis	\$2,044
James Greene	\$876
Jean-Pierre Turner	\$5,329
Jemi and Heidi Purcell	\$100
Jeremy Purcell	\$3,599
John Berry	\$2,628
Ken Simmons	\$72,000
Kevin Wiafe	\$3,300
LaChelle Stewart	\$6,483.28
Leviticus Pope	\$21,728.25
Mandel Gregory	\$1,825
Mark McIntyre	\$876
Martin and Cheryl Mason	\$3,212
Micah Lathem	\$5,329
Nicola Jones	\$2,409
Paul Bunke	\$2,217
Raleigh Winborne	\$2,628
Robert Hart	\$2,117
Rudene Jones	\$3,796
Sam Sadek	\$150,000
Sandra Harrison	\$511
Saundra Woody	\$6,000
Sarita Bennett	\$1,642.50
Sean Brown	\$1,095

Stephanie Price	\$584
Vilma Valdes	\$15,040.24
Yolanda Johnson	\$3,650
Total	\$539,292

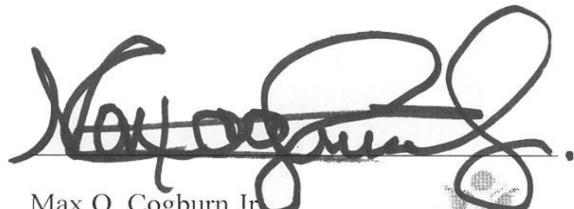
IT IS FURTHER ORDERED that any payment that is not paid in full shall be divided proportionately among the victims named. The victims' recovery is limited to the amount of their loss and Defendant's liability for restitution ceases if and when the victims receive full restitution.

All other terms and conditions of the original Judgment remain unchanged.

The Clerk is directed to certify copies of this Order to Defendant, counsel for Defendant, the United States Attorney, the United States Marshal Service, the United States Probation Office, and the Financial Administration Unit of the Clerk's Office.

SO ORDERED.

Signed: September 26, 2024



Max O. Cogburn Jr.
United States District Judge